UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,690	08/31/2001	Takashi Hasegawa	H-990	9330

24956	7590	03/18/2005

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.
1800 DIAGONAL ROAD
SUITE 370
ALEXANDRIA, VA 22314

EXAMINER
HA, LEYNNA A

ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 03/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date *8/31/2001*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-14 have been examined and are rejected under 35

U.S.C. 102(e).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form

the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   **Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated**

by Masuda, et al. (US 6,714,649).

As per claim 1:

Masuda discloses a broadcasting method comprising the steps of:

broadcasting contents along with a begin store command in a first time

period **(col.6, lines 46-47)**, said begin store command causing said contents to

be stored onto a storage medium at a receiving side; and **(col.7, lines 24-28)**

broadcasting a play command in a second time period subsequent to

said first time period **(col.7, lines 62-64)**, said play command causing said

contents stored on said storage medium to be retrieved therefrom for output of

the contents. **(col.6, lines 47-49 and col.7, lines 15-16)**

As per claim 2:   See col.4, lines 29-30 and col.7, lines 13-15; discussing contents broadcast in said first time period are encrypted, and wherein said play command broadcast in said second time period includes a decryption key for decrypting the encrypted contents.

As per claim 3:   See col.7, lines 1-48; discussing contents broadcast in said first time period includes an identifier identifying said contents, and wherein said play command broadcast in said second time period include an identifier allowing said contents to be retrieved from said storage medium for output.

As per claim 4:   See col.4, lines 18-24; discussing contents broadcast in said first time period include an end store command for terminating the storing of said contents onto said storage medium.

As per claim 5:

Masuda discloses a broadcast receiver comprising:

a receiver for receiving contents broadcast in a first time period along with a begin store command causing said contents to be stored **(col.6, lines 46-47)**, and a play command broadcast in a second time period subsequent to said first time period **(col.7, lines 62-64)**, said play command causing the stored contents to be retrieved for output; **(col.6, lines 47-49 and col.7, lines 15-16)**

a storage medium for storing said contents received; and **(col.7, lines 24-28)**

a processor for storing said contents onto said storage medium in accordance with the received begin store command and for retrieving said contents from said storage medium for output when said processor finds the play command is received. **(col.6, lines 1-4 and col.7, lines 25-27)**

As per claim 6: **See col.4, lines 29-30 and col.7, lines 13-15;** discussing contents broadcast in said first time period are encrypted, wherein said play command broadcast in said second time period includes a decryption key for decrypting the encrypted contents, and wherein said processor retrieves the encrypted contents from said storage medium and decrypts the retrieved contents for output.

As per claim 7: **See col.7, lines 1-48;** discussing contents broadcast in said first time period and stored on said storage medium include a first identifier identifying said contents, wherein said play command includes a second identifier, and wherein said processor retrieves for playback said contents stored on said storage medium along with said first identifier if said first identifier coincides with said second identifier included in said play command.

As per claim 8: **See col.4, lines 18-24;** discussing contents broadcast in said first time period include an end store command for terminating the storing of said contents onto said storage medium, and wherein said processor terminates the storing of said contents onto said storage medium the moment said end store command is received.

As per claim 9:   See col.7, lines 55-58; discussing processor stores the received decryption key into a memory and deletes said decryption key from said memory after decrypting the encrypted contents using said decryption key.

As per claim 10:

Masuda discloses a broadcasting method comprising the steps of:

broadcasting contents to be stored onto a storage medium at a receiving side; and **(col.7, lines 24-28)**

broadcasting a play command in a second time period subsequent to said first time period **(col.7, lines 62-64)**, said play command causing said contents stored on said storage medium to be output for playing. **(col.6, lines 47-49 and col.7, lines 15-16)**

As per claim 11:

Masuda discloses a program stored on a computer readable storage medium executing a contents playback method on a computer, comprising instructions of:

finding a begin store command in a broadcast **(col.6, lines 46-47)**, storing contents in said broadcast in response to said begin store command in a storage medium, finding a play command in a broadcast **(col.7, lines 62-64)**, said play command including an identifier which identifies contents broadcasted beforehand **(col.7, lines 1-48)**, playing the stored contents identified with said play command when said play command is found in the broadcast. **(col.6, lines 47-49 and col.7, lines 15-16)**

As per claim 12: See col.4, lines 29-30 and col.7, lines 13-15; discussing

contents are encrypted, and said play command includes a decryption key for

decrypting the encrypted contents, and wherein said step for playing includes a

step for decrypting the contents before playing.

As per claim 13: See col.4, lines 9-24; discusses finding an end store

command in a broadcast; and terminating the storing of contents onto said

storage medium in response to said end store command is received.

As per claim 14: See col.7, lines 55-58; discusses deleting said decryption

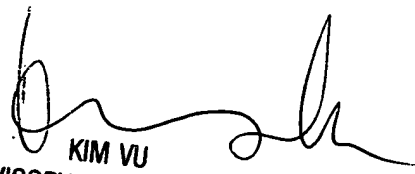key after decrypting the encrypted contents.

Conclusion

Any inquiry concerning this communication or earlier communications

from the examiner should be directed to LEYNNA T. HA whose telephone

number is (571) 272-3851. The examiner can normally be reached on Monday

- Thursday (7:00 - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax

phone number for the organization where this application or proceeding is

assigned is 703-872-9306.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

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Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-

9197 (toll-free).

LHa

KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100